

# City of Portland, Oregon

# **Bureau of Development Services**

# **Land Use Services**

FROM CONCEPT TO CONSTRUCTION

Amanda Fritz, Commissioner Paul L. Scarlett, Director Phone: (503) 823-7300 Fax: (503) 823-5630 TTY: (503) 823-6868 www.portlandoregon.gov/bds

**Date:** July 28, 2014

**To:** Interested Person

**From:** Rachel Whiteside, Land Use Services

503-823-7605 / Rachel.Whiteside@portlandoregon.gov

# NOTICE OF A TYPE IX DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has **approved** a proposal in your neighborhood. The reasons for the decision are included in the version located on the BDS website <a href="http://www.portlandonline.com/bds/index.cfm?c=46429">http://www.portlandonline.com/bds/index.cfm?c=46429</a>. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

# CASE FILE NUMBER: LU 14-113495 LDP

# **GENERAL INFORMATION**

**Applicant:** David Sideras/ Capitol Builders, LLC

PO Box 19115 / Portland, OR 97280

Owner: NW Landmark LLC

19612 S Ferguson Rd / Oregon City, OR 97045

Site Address: 3410 SE 77TH AVE

Legal Description: BLOCK 14 LOT 5, POWELL ST ADD

**Tax Account No.:** R672805380 **State ID No.:** 1S2E08AD 15300

Quarter Section: 3338

**Neighborhood:** South Tabor, contact Eric Lozano at 503-724-6266.

**Business District:** Eighty-Second Ave of Roses Business Association, contact Frank Harris

at 503-774-2832.

**District Coalition:** Southeast Uplift, contact Bob Kellett at 503-232-0010.

**Plan District:** None **Zoning:** R2a

**Case Type:** LDP – Land Division (Partition)

**Procedure:** Type Ix, an administrative decision with appeal to the Oregon Land Use

Board of Appeals (LUBA).

# Proposal:

The applicant proposes to divide the vacant 5,000 square foot site into two parcels of 2,500 square feet each. None of the trees on site are proposed to be preserved. Four of the existing trees are nuisance species and the applicant proposes to remove the other two to accommodate future development.

Water and sanitary service for both parcels are proposed from the existing mains in SE 77<sup>th</sup> Avenue. Stormwater from future development is proposed to be managed through individual drywells onsite. The SE 77<sup>th</sup> Avenue right-of-way is fully improved with curbs, planter strips, and sidewalks.

For purposes of State Law, this land division is considered a partition. To partition land is to divide an area or tract of land into two or three parcels within a calendar year (See ORS 92.010). ORS 92.010 defines "parcel" as a single unit of land created by a partition of land. The applicant's proposal is to create 2 units of land. Therefore this land division is considered a partition.

This partition is reviewed through a Type Ix land use review because: (1) the site is in a residential zone; (2) fewer than four lots are proposed; (3) none of the lots, utilities, or services are proposed within a Potential Landslide Hazard or Flood Hazard Area, and; (4) no other concurrent land use reviews (such as an Adjustment, Design Review, or Environmental Review) are requested or required (see 33.660.110).

# Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are found in Section 33.660.120, Approval Criteria for Land Divisions in Open Space and Residential Zones.

# **FACTS**

**Site and Vicinity:** The site is vacant except for half a dozen trees, most of which are nuisance species. Both the site and surrounding area is flat. The site lies within a transitional zoning of low-density multi-dwelling in between higher density multi-dwelling and commercial to the south and single-dwelling residential to the north.

#### Infrastructure:

• **Streets** – The site has approximately 50 feet of frontage on SE 77<sup>th</sup> Avenue. There is one curb cut that serves the site. At this location, SE 77<sup>th</sup> Avenue is classified as a Local Service Street for all modes in the Transportation System Plan (TSP). Tri-Met provides transit service approximately 130 feet from the site at SE Powell Boulevard via Bus #9.

SE 77<sup>th</sup> Avenue has a 28-foot curb to curb paved surface within a 50-foot right-of-way with parking on both sides. The pedestrian corridor includes a 5-foot wide planter area, curb, 5-foot sidewalk and a 1-foot wide buffer at the back of the sidewalk (5-5-1 configuration).

- **Water Service** There is an existing 8inch CI water main in SE 77<sup>th</sup> Avenue. There is an existing 5/8-inch service from this main.
- **Sanitary Service** There is an existing 8-inch CSP public combination sewer line in SE 77<sup>th</sup> Avenue.
- **Stormwater Disposal** There is no public storm-only sewer currently available to this property.

**Zoning:** The R2 designation is one of the City's multi-dwelling zones which is intended to create and maintain higher density residential neighborhoods. The zone implements the comprehensive plan policies and designations for multi-dwelling housing. The "a" overlay is intended to allow increased density that meets design compatibility requirements. It focuses development on vacant sites, preserves existing housing stock, and encourages new development that is compatible with the surrounding residential neighborhood. This land division proposal is not using any of the provisions of the "a" overlay.

Land Use History: City records indicate there are no prior land use reviews for this site.

**Agency Review:** Several Bureaus have responded to this proposal and relevant comments are addressed under the applicable approval criteria. Exhibits "E" contain the complete responses.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on **April 24**, **2014**. Two written responses have been received from a notified property owner in response to the proposal.

The resident behind the project site objects to the trees along the rear property line being removed. Tree removal and any required mitigation is addressed later in this report under Criterion B – Tree Preservation. Additionally, the applicant has indicated they intend to keep other trees on site, as feasible, at the time of development.

# **ZONING CODE APPROVAL CRITERIA**

### APPROVAL CRITERIA FOR LAND DIVISIONS IN OPEN SPACE AND RESIDENTIAL ZONES

33.660.120 The Preliminary Plan for a land division will be approved if the review body finds that the applicant has shown that all of the following approval criteria have been met.

Due to the specific location of this site, and the nature of the proposal, some of the criteria are not applicable. <u>The following table summarizes the criteria that are not applicable.</u> Applicable criteria are addressed below the table.

Criterion	Code Chapter/Section and Topic	Findings: Not applicable because:
С	33.631 - Flood Hazard Area	The site is not within the flood hazard area.
D	33.632 - Potential	The site is not within the potential landslide
	Landslide Hazard Area	hazard area.
E	33.633 - Phased Land	A phased land division or staged final plat has not
	Division or Staged Final	been proposed.
	Plat	
F	33.634 - Recreation Area	The proposed density is less than 40 units.
Н	33.636 - Tracts and	No tracts or easements have been proposed or will
	Easements	be required.
I	33.639 - Solar Access	All of the proposed parcels are interior lots (not on
		a corner). In this context, solar access standards
		express no lot configuration preference.
J	33.640 - Streams, Springs,	No streams, springs, or seeps are evident on the
	and Seeps	site outside of environmental zones.
L	33.654.110.B.2 - Dead end	No dead end streets are proposed.
	streets	
	33.654.110.B.3 -	The site is not located within an I zone.
	Pedestrian connections in	
	the I zones	
	33.654.110.B.4 - Alleys in	No alleys are proposed or required.
	all zones	
	33.654.120.C.3.c -	No turnarounds are proposed or required.
	Turnarounds	
	33.654.120.D - Common	No common greens are proposed or required.
	Greens	
	33.654.120.E - Pedestrian	There are no pedestrian connections proposed or
	Connections	required.
	33.654.120.F - Alleys	No alleys are proposed or required.
	33.654.120.G - Shared	No shared courts are proposed or required.
	Courts	
	33.654.130.B - Existing	No public dead-end streets or pedestrian
	public dead-end streets	connections exist that must be extended onto the
	and pedestrian connections	site.
	33.654.130.C - Future	No dead-end street or pedestrian connections are
	extension of dead-end	proposed or required.
	streets and pedestrian	
	connections	
	33.654.130.D - Partial	No partial public streets are proposed or required.
	rights-of-way	

# Applicable Approval Criteria are:

# A. Lots. The standards and approval criteria of Chapters 33.605 through 33.612 must be met.

**Findings:** Chapter 33.612 contains the density and lot dimension requirements applicable in the R3 through IR zones. The applicant is proposing two detached single-family parcels. Because single-dwelling development is proposed for the entire site, the proposed lots must meet minimum density and not exceed the maximum density stated in Table 120-3.

Minimum density in the R2 zone is one unit per 2,500 square feet and the maximum density is one unit per 2,000 square feet. The total site area shown on the applicant's survey is 5,00-square feet. The site has a minimum required density of 2 units and a maximum density of 2 units.

The lot dimensions required and proposed are shown in the following table:

R2	Minimum lot area (square feet)	Minimum lot width (feet)	Minimum lot depth (feet)	Minimum front lot line (feet)
Attached Houses	1,600	15	none	15
Detached Houses	1,600	25	none	25
Parcel 1 – detached	2,500	25	100	25
Parcel 2 – detached	2,500	25	100	25

<sup>\*</sup> Width is measured from the midpoints of opposite lot lines.

The findings above show that the applicable density and lot dimension standards are met for detached or attached houses. Therefore this criterion is met.

# B. Trees. The standards and approval criteria of Chapter 33.630, Tree Preservation, must be met.

**Findings:** The regulations of Chapter 33.630 preserve trees and mitigate for the loss of trees. Certain trees are exempt from the requirements of this chapter.

The arborist report that inventories the trees within the land division site, evaluates their condition and specifies root protection zones (Exhibit A.2). Four trees have been exempted because they are a nuisance species or located partially off the property. Two trees are subject to the preservation requirements of this chapter.

The total non-exempt tree diameter on the site is 13 inches. The applicant proposes to preserve Tree #1, for 13 inches of diameter, or 48 percent of the total non-exempt tree diameter. This proposal complies with Option 1 of the tree preservation standards, which requires at least 35 percent of the total non-exempt tree diameter on the site to be preserved. The trees to be preserved and the required root protection zones are shown on the applicant's Preliminary Land Division Plan (Exhibit C.1).

In order to ensure that future owners of the lots are aware of the tree preservation requirements, the applicant must record an Acknowledgement of Tree Preservation Requirements at the time of final plat.

This criterion is met, subject to the condition that development on Parcel 2 be carried out in conformance with the Tree Preservation Plan (Exhibit C.1) and the applicant's arborist report (Exhibit A.2) and an acknowledgement of tree preservation requirements is recorded with the final plat.

# G. Clearing, Grading and Land Suitability. The approval criteria of Chapter 33.635, Clearing, Grading and Land Suitability must be met.

### Findings:

# Clearing and Grading

The regulations of Chapter 33.635 ensure that the proposed clearing and grading is reasonable given the infrastructure needs, site conditions, tree preservation requirements, and limit the impacts of erosion and sedimentation to help protect water quality and aquatic habitat.

In this case the site is primarily flat, and is not located within the Potential Landslide Hazard Area. Therefore, no significant clearing or grading will be required on the site to make the new lots developable. In addition, the one tree to be preserved is at the front corner of the site where tree protection measures can be utilized to provide an adequate level of protection. This criterion is met.

# Land Suitability

The site is currently vacant. There is no record of any use other than a residential use in the past. As indicated above, the site is relatively flat and contains no known geological hazards. Therefore, there are no anticipated land suitability issues and the new lots can be considered suitable for new development. This criterion is met.

# K. Transportation impacts. The approval criteria of Chapter 33.641, Transportation Impacts, must be met; and,

**Findings:** The transportation system must be capable of safely supporting the proposed development in addition to the existing uses in the area. The Development Review Section of the Portland Bureau of Transportation has reviewed the application for its potential impacts regarding the public right-of-way, traffic impacts and conformance with adopted policies, street designations, and for potential impacts upon transportation services.

Based on the available evidence, PBOT estimates that the two new residences will generate approximately 20 new daily vehicle trips, with the majority of trips occurring during non-peak hours (according to *Institute of Transportation Engineers – Trip Generation Manual*, 8<sup>th</sup> ed.). Other factors taken into consideration are two possible travel route directions to and from the site as well as transit service available less than 1000 feet from the site. PBOT staff has determined that there will be a minimal impact on existing facilities and capacity and no mitigation is required (see Exhibit E.2 for a detailed analysis). These criteria are met.

# L. Services and utilities. The regulations and criteria of Chapters 33.651 through 33.654, which address services and utilities, must be met.

**Findings:** Chapters 33.651 through 33.654 address water service standards, sanitary sewer disposal standards, stormwater management, utilities and rights of way. The criteria and standards are met as shown in the following table:

### **33.651 Water Service standard** - See Exhibit E.3 for detailed bureau comments.

The Water Bureau has indicated that service is available to the site, as noted on page 2 of this report. The water service standards of 33.651 have been verified.

There is an existing 5/8" metered service (Serial #OUT00477, Account #2971245000) at the frontage of the site. The meter for this water service is currently pulled and will not be reinstalled for potential use until service is requested and the outstanding water bill is paid. The Water Bureau has noted that this water service may potentially be used as is to provide water to the proposed parcel 1.

# **33.652 Sanitary Sewer Disposal Service standards** – See Exhibit E.1 for detailed comments.

The public sanitary sewer in SE 77<sup>th</sup> Avenue does not extend to the frontage of proposed Parcel 2. While there is an existing sewer lateral that angles from the public main just north of proposed Parcel 2, BES has indicated that the lateral in its current form cannot be used by Parcel 2.

The applicant has submitted for, and been approved to use, a BES Simplified Permit to extend the main in SE 77<sup>th</sup> as needed (14-178584 WE). The sewer must be constructed and receive an approved final inspection prior to final plat approval. Alternatively, the applicant must submit engineered plans, a financial guarantee, and fees under a standard public

works permit, subject to BES approval, prior to final plat approval.

# 33.653.020 & .030 Stormwater Management criteria and standards - See Exhibit E.1

No stormwater tract is proposed or required. Therefore, criterion A is not applicable.

The applicant has proposed to manage stormwater from the proposed parcels with individual drywells that will treat the water and slowly infiltrate it into the ground. Each of these lots has sufficient area for a stormwater facility that can be adequately sized and located to meet setback standards, and accommodate water from a reasonably-sized home. BES has indicated conceptual approval of the drywells.

# 33.654.110.B.1 Through streets and pedestrian connections

Generally, through streets should be provided no more than 530 feet apart and at least 200 feet apart. The block on which the subject property is located meets the noted spacing requirements. Therefore, connectivity standards are met.

# 33.654.120.B & C Width & elements of the right-of-way - See Exhibit E.2 for bureau comment

In reviewing this land division, Portland Transportation relies on accepted civil and traffic engineering standards and specifications to determine if existing street improvements for motor vehicles, pedestrians and bicyclists can safely and efficiently serve the proposed new development. Portland Transportation has not identified or been made aware of any factors related to this proposal that lead to a conclusion other than that two dwellings can be safely served by this existing street without having any significant impact on the level of service provided. This criterion is met.

# 33.654.130.A - Utilities (defined as telephone, cable, natural gas, electric, etc.)

Any easements that may be needed for private utilities that cannot be accommodated within the adjacent right-of-ways can be provided on the final plat. At this time no specific utility easements adjacent to the right-of-way have been identified as being necessary. Therefore, this criterion is met.

# **DEVELOPMENT STANDARDS**

Development standards that are not relevant to the land division review, have not been addressed in the review, but will have to be met at the time that each of the proposed lots is developed.

# **Future Development**

Among the various development standards that will be applicable to this lot, the applicant should take note of:

• <u>Detached Houses</u>- Section 33.120.270.D of the Zoning Code allows reduced side setbacks (3-feet from property lines) for detached houses in the multi-dwelling zones on lots that are at least 25 feet wide. This allowance only applies to the setbacks that are interior to the site. The setbacks around the perimeter of the land division site are that of the base zone. This proposal is eligible to use these provisions. To take advantage of this allowance the reduced side setbacks must be shown on a supplemental survey for the land division at the time of final plat approval.

**Existing development that will remain after the land division.** The site is currently vacant, so the division of the property will not cause the structures to move out of conformance or further out of conformance with any development standard applicable in the R2 zone. Therefore, this land division proposal can meet the requirements of 33.700.015.

Because the site is within a multi-dwelling zone, the applicant may obtain building permits prior to final plat approval. To ensure that any existing development on site at the time of platting continues to meet the applicable development standards in the R2 zone, the applicant must provide a supplemental survey at the time of final plat approval.

With the conditions noted above, this land division proposal can meet the requirements of 33.700.015.

# OTHER TECHNICAL REQUIREMENTS

Technical decisions have been made as part of this review process. These decisions have been made based on other City Titles, adopted technical manuals, and the technical expertise of appropriate service agencies. These related technical decisions are not considered land use actions. If future technical decisions result in changes that bring the project out of conformance with this land use decision, a new land use review may be required. The following is a summary of technical service standards applicable to this preliminary partition proposal.

Bureau	Code Authority and Topic		
Development Services/503-823-7300	Title 24 – Building Code, Flood plain		
www.portlandonline.com/bds	Title 10 – Erosion Control, Site Development		
	Administrative Rules for Private Rights-of-Way		
Environmental Services/503-823-7740	Title 17 – Sewer Improvements		
www.portlandonline.com/bes	2008 Stormwater Management Manual		
Fire Bureau/503-823-3700	Title 31 Policy B-1 – Emergency Access		
www.portlandonline.com/fire			
Transportation/503-823-5185	Title 17 – Public Right-of-Way Improvements		
www.portlandonline.com/transportation	Transportation System Plan		
Urban Forestry (Parks)/503-823-4489	Title 20 – Street Trees and other Public Trees		
www.portlandonline.com/parks			
Water Bureau/503-823-7404	Title 21 – Water availability		
www.portlandonline.com/water			

As authorized in Section 33.800.070 of the Zoning Code conditions of approval related to these technical standards have been included in the Administrative Decision on this proposal.

• The applicant must meet the requirements of the Fire Bureau in regards to addressing requirements; ensuring adequate hydrant flow and spacing or obtaining an approved Fire Bureau appeal to this requirement; fire apparatus access, including aerial access. These requirements are based on the technical standards of Title 31 and Fire Bureau Policy B-1.

# **CONCLUSIONS**

The applicant has proposed a 2 parcel partition, as shown on the attached preliminary plan (Exhibit C.1). As discussed in this report, the relevant standards and approval criteria have been met, or can be met with conditions. The primary issues identified with this proposal are: tree removal and sanitary sewer service.

With conditions of approval that address these requirements this proposal can be approved.

### ADMINISTRATIVE DECISION

**Approval** of a Preliminary Plan for a 2 parcel partition, that will result in 2 single dwelling lots, as illustrated with Exhibit C.1, subject to the following conditions:

- **A. Supplemental Plan.** Three copies of an additional supplemental plan shall be submitted with the final plat survey for Land Use review and approval if side setback reductions are proposed or permits have been issued to develop the site. That plan must portray how the conditions of approval listed below are met. In addition, the supplemental plan must show the surveyed location of the following:
- Any buildings or accessory structures on the site at the time of the final plat application;
- Any driveways and off-street vehicle parking areas on the site at the time of the final plat application;
- The reduced side setbacks allowed under 33.120.270.D, if requested; and

• Any other information specifically noted in the conditions listed below.

## B. The final plat must show the following:

1. A recording block for each of the legal documents such as an acknowledgement of special land use conditions, as required by Condition C.4 below. The recording block(s) shall, at a minimum, include language substantially similar to the following example: "An Acknowledgement of Tree Preservation Conditions has been recorded as document no. \_\_\_\_\_\_\_, Multnomah County Deed Records."

# C. The following must occur prior to Final Plat approval:

### **Utilities**

- 1. The applicant shall meet the requirements of the Bureau of Environmental Services (BES) for extending the public sewer main in SE 77th Avenue. The public sewer extension requires a BES Simplified Permit. The sewer extension must be constructed and inspected, with permits finaled to the satisfaction of BES, prior to final plat approval. Alternatively, the applicant must submit engineered plans, a financial guarantee, and fees under a standard public works permit, subject to BES approval, prior to final plat approval.
- 2. The applicant shall meet the requirements of the Fire Bureau for ensuring proper residential hydrant spacing. The applicant must provide verification to the Fire Bureau that Appendix C of the Fire Code is met or provide an approved Fire Code Appeal prior final plat approval.
- 3. The applicant shall meet the requirements of the Fire Bureau for ensuring adequate hydrant flow from the nearest hydrant. The applicant must provide verification to the Fire Bureau that Appendix B of the Fire Code is met, the exception is used, or provide an approved Fire Code Appeal prior final plat approval.

# **Required Legal Documents**

4. The applicant shall execute an Acknowledgement of Tree Preservation Conditions that notes tree preservation requirements that applies to Parcel 2. A copy of the approved Tree Preservation Plan must be included as an Exhibit to the Acknowledgement. The acknowledgment shall be recorded with Multnomah County and referenced on the final plat.

# D. The following conditions are applicable to site preparation and the development of individual lots:

- 1. Development on Parcel 2 shall be in conformance with the Preliminary Plan (Exhibit C.1) and the applicant's arborist report (Exhibit A.2). Specifically, Tree #1 is required to be preserved, with the root protection zones indicated on Exhibit A.2. Tree protection fencing is required along the root protection zone of each tree to be preserved. The fence must be 6-foot high chain link and be secured to the ground with 8-foot metal posts driven into the ground. Encroachment into the specified root protection zones may only occur under the supervision of a certified arborist. Planning and Zoning approval of development in the root protection zones is subject to receipt of a report from an arborist, explaining that the arborist has approved of the specified methods of construction, and that the activities will be performed under his supervision.
- 2. The applicant must meet the addressing requirements of the Fire Bureau for Parcels 1 and 2. The location of the sign must be shown on the building permit.
- 3. If determined necessary, the applicant must meet any requirements identified through a Fire Code Appeal. Please refer to the final plat approval report for details on whether or not this requirement applies.

4. The applicant must provide a fire access way that meets the Fire Bureau requirements related to aerial fire department access. Aerial access applies to buildings that exceed 30 feet in height as measure to the bottom of the eave of the structure or the top of the parapet for a flat roof.

Staff Planner: Rachel Whiteside

Decision rendered by: \_\_\_\_\_\_ on July 23, 2014

By authority of the Director of the Bureau of Development Services

Decision mailed July 28, 2014.

**About this Decision.** This land use decision is **not a permit** for development. A Final Plat must be completed and recorded before the proposed lots can be sold or developed. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

**Procedural Information.** The application for this land use review was submitted on February 4, 2014, and was determined to be complete on **April 22, 2014**.

Zoning Code Section 33.700.080 states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. Therefore this application was reviewed against the Zoning Code in effect on February 4, 2014.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case the applicant requested that the 120-day review period be extended to accommodate the public works review (Exhibit G.3). Unless further extended by the applicant, **the 120 days will expire on: September 14, 2014.** 

## Some of the information contained in this report was provided by the applicant.

As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

**Conditions of Approval.** If approved, this project may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the permitting process must illustrate how applicable conditions of approval are met. Any project elements that are specifically required by conditions of approval must be shown on the plans, and labeled as such.

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term "applicant" includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

This decision, and any conditions associated with it, is final. It may be appealed to the Oregon Land Use Board of Appeals (LUBA), within 21 days of the date the decision is mailed, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have submitted written testimony during the comment

period for this land use review. Contact LUBA at 775 Summer St NE Suite 330, Salem, OR 97301-1283 or phone 1-503-373-1265 for further information.

The file and all evidence on this case are available for your review by appointment only. Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at <a href="https://www.portlandonline.com">www.portlandonline.com</a>.

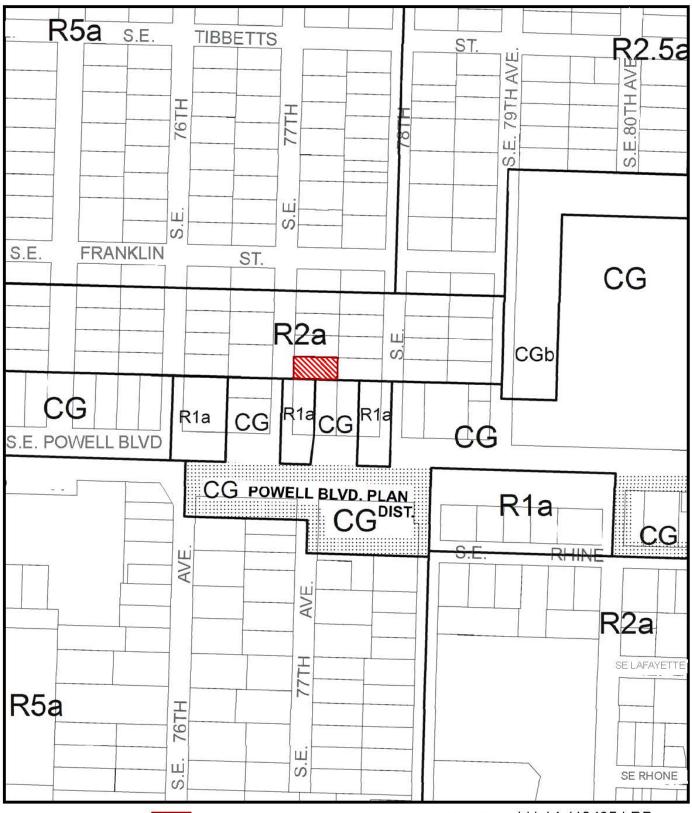
**Recording the land division.** The final land division plat **must** be submitted to the City **within three years** of the date of the City's final approval of the preliminary plan. This final plat must be recorded with the County Recorder and Assessors Office after it is signed by the Planning Director or delegate, the City Engineer, and the City Land Use Hearings Officer, and approved by the County Surveyor. **The approved preliminary plan will expire unless a final plat is submitted within three years of the date of the City's approval of the preliminary plan.** 

#### **EXHIBITS**

### NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement:
  - 1. Land Division Narrative
  - 2. Arborist Report
  - 3. Response to Incomplete Letter
  - 4. Demolition Permit
  - 5. Fire Flow Information
  - 6. Revised Arborist Report, dated March 4, 2014
  - 7. Infiltration Tests
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Preliminary Plan (attached)
  - 2. Existing Conditions Plan
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses:
  - 1. a. Bureau of Environmental Services
    - b. Addendum to Bureau of Environmental Services response, dated July 23, 2014
  - 2. Bureau of Transportation Engineering and Development Review
  - 3. Water Bureau
  - 4. Fire Bureau
  - 5. Site Development Review Section of BDS
  - 6. Bureau of Parks, Forestry Division
- F. Correspondence:
  - 1. Susan Kolber, letter objecting to tree removal, received May 27, 2014
  - 2. Susan Kolber, letter with concerns, received May 27, 2014
- G. Other:
  - 1. Original LU Application
  - 2. Incomplete Letter, dated February 25, 2014
  - 3. Communication with applicant

The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).







NORTH

This site lies within the: SOUTHEAST UPLIFT NEIGHBORHOOD SOUTH TABOR 82ND AVENUE

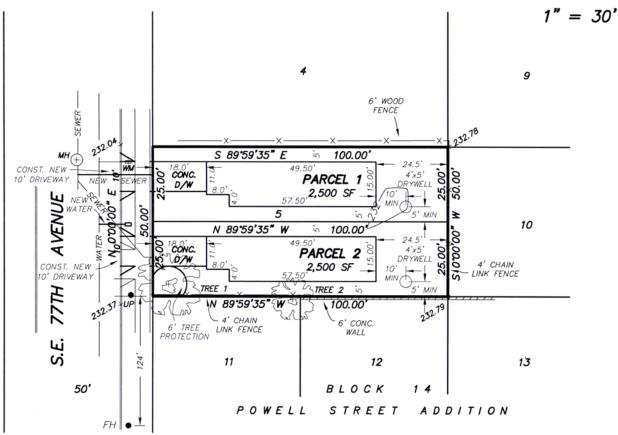
LU 14-113495 LDP File No. 3338 1/4 Section 1 inch = 200 feet Scale, 1S2E08AD 15300 State\_Id В (Feb 06,2014) Exhibit.

# PRELIMINARY PLAN

(TAX LOT 15300 1S2E08AD)
LOT 5, BLOCK 14 "POWELL STREET ADDITION"
CITY OF PORTLAND, MULTNOMAH COUNTY, OR

FEBRUARY 3, 2014





REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 26, 1985
KENNETH D. GRIFFIN
2147

RENEWS: 6/30/15

GRIFFIN LAND SURVEYING INC. 6107 SW MURRAY BLVD. #409 BEAVERTON, OR. 97008 (503) 641-8400